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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,372	03/26/2001	Yasuhiko Kanemasa	826.1710	7328

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EXAMINER

ZHEN, LI B

ART UNIT

PAPER NUMBER

2194

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>		
	09/816,372		KANEMASA ET AL.		
	<b>Examiner</b>		<b>Art Unit</b>		
Li B. Zhen		2194			

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on 25 July 2005 and 24 August 2005.

2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) 1-23 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-23 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All    b) ☐ Some \* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1 – 23 are pending in the current application.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/25/2005 and 08/24/2005 has been entered.

***Response to Arguments***

3. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 1-12, 15, 16 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 1, 12, 15, 16 and 21 recites "process executing data received from the process executing data interchanging unit." It is unclear as to which "process executing data interchanging unit" sends the process executing data. The claims appears to recite a process executing device sending process executing data to itself because the process executing data interchanging unit and the interprocess associating information interchanging unit as recited in the claims are part of the same process executing device.

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7. Claim 1 recites the limitation "the process executed by the process executing device" in lines 7 - 8 . There is insufficient antecedent basis for the limitation ("the process executed") in the claim.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. **Claims 1 – 3 and 9 – 17, 19, and 21 – 23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,032,124 to Saito et al. [hereinafter referred to as Saito].**

10. As to claim 1, Saito teaches a process executing device [server 110, Fig. 1; col. 4, lines 12 – 23] in a data interchange system [workflow system; col. 4, lines 23 – 32] for executing a series of process flows [coordination of the BP definitions describing the business processes inside said sites placed under decentralized management in each site; col. 3, lines 9 – 25] among a plurality of process executing devices [col. 10, lines 40 – 62], said process executing device comprising:

a process executing data interchanging unit [CALL node, Fig. 9; col. 7, lines 16 – 30] interchanging process executing data for executing a process with another process executing device [shipping document (160) delivered from the CALL node to the process node in the remote BP definition (150), Fig. 9, col. 7, lines 15 – 30], and

an interprocess association information interchanging unit interchanging with the other process executing device interprocess association information that associates the process executed by the process executing device with the process executed by the other process executing device [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to transmit the shipping document

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(160) to the remote server (110), by referring to the BP connection data, Fig. 2; col. 4, line 56 – col. 5, line 7] based on a correspondence relation between the process executing data received from the process executing data interchanging unit and the process executed by the other process executing device [BP connection data management unit (230) and the BP definition management unit (240) manage the BP connection data (170) created by the user and the BP definition (150), respectively, and execute retrieval process at the retrieval request, notifying other processing units of the retrieved result; col. 4, line 56 – col. 5, line 7].

11. As to claim 2, Saito teaches the interprocess association information is information that associates the processes with one another using a part of the process executing data [BP definition; col. 5, lines 8 – 29].

12. As to claim 3, Saito teaches interprocess association information is part of the process executing data, and is the information for associating processes with each other using data that takes an exclusive value for each process of the series of process flows [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to transmit the shipping document (160) to the remote server (110), by referring to the BP connection data; col. 4, line 56 – col. 5, line 7].

13. As to claim 9, Saito teaches the interprocess association information interchanging unit dynamically determines the other process executing device to which the interprocess association information is transmitted using a part of the process executing data [next BP location described in the BP definition; col. 4, line 56 – col. 5, line 7].

14. As to claim 10, Saito teaches the process executing device in the data interchange system further comprising:

an association definition storing unit storing a method to define the interprocess association as an association definition [BP definition (150) contains the entrance node and exit node, in addition to the processing node representing one process to be treated in the workflow subsystem (180) to which the BP definition managing server (110) pertains; col. 5, line 8 – 29]; and

an association unit associating the process executed by the process executing device with the process executed by the other process executing device [document management unit (220); col. 4, lines 56 – 67].

15. As to claim 11, Saito teaches the process executing device in the data interchange system further comprising:

a device interprocess association unit associating the processes executed by the process executing device that are identical to the process executed by the other process executing device using the interprocess association information transmitted from the other process executing device [BP connection table (500) comprises the previous BP exit location (510) composed of the BP definition name (511) and the exit node name (512), and the next BP entrance location (520) composed of the BP definition name (521), the entrance node name (522) and the management server name (523); col. 5, line 52 – col. 6, line 3].

16. As to claim 12, Saito teaches a data interchange system for executing a series of process flows among a plurality of process executing devices using a process executing data interchanging unit interchanging process executing data between the process executing devices [col. 4, line 56 – col. 5, line 8], comprising:

an interprocess association information storing unit storing an interprocess association information that associates a process executed by each of said plurality of process executing devices with the process executed by the other process executing device based on a correspondence relation between process executing data received from the process executing data interchanging unit and the process executed by the other process executing device, which is transmitted by the plurality of process

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executing devices [BP definition (150) contains the entrance node and exit node, in addition to the processing node representing one process to be treated in the workflow subsystem (180) to which the BP definition managing server (110) pertains; col. 5, line 8 – 29 and col. 5, line 52 – col. 6, line 3]; and

an interprocess association information distribution unit distributing the interprocess association information stored in said interprocess association information storing unit to the process executing device which is related to the interprocess association information [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to transmit the shipping document (160) to the remote server (110), by referring to the BP connection data (170); col. 4, line 56 - col. 5, line 7].

17. As to claim 13, Saito teaches an addressee definition storing unit storing a method for determining an addressee of the interprocess association information as an addressee definition, and wherein said interprocess association information distribution unit distributes, interprocess association information based on the addressee definition [BP connection table (500) comprises the previous BP exit location (510) composed of the BP definition name (511) and the exit node name (512), and the next BP entrance location (520) composed of the BP definition name (521), the entrance node name (522) and the management server name (523); the information to link between the exit node and entrance node; col. 5, line 52 – col. 6, line 2].

18. As to claim 14, Saito teaches interprocess association information distribution unit dynamically determines the addressee of the process association information using a part of a process executing data transmitted from the plurality of process executing devices [searches the entries of the BP connection table (500) where the BP definition name and the exit node name given as parameters have the same value as the previous BP exit location (510) (710); then the next BP entrance location (520) out of

the entries of the BP connection table (500) obtained by retrieval is returned to the document management unit (220); col. 6, lines 35 – 57].

19. As to claim 15, Saito teaches a data interchange system [workflow system; col. 4, lines 23 – 32] for executing a series of process flows [col. 3, lines 9 – 25] among a plurality of process executing devices [col. 10, lines 40 – 62] using a process executing data interchanging unit [CALL node, Fig. 9; col. 7, lines 16 – 30] interchanging process executing data between the process executing devices [col. 7, lines 15 – 30], comprising:

- an interprocess association unit associating the processes executed among the plurality of process executing devices based on a correspondence relation between process executing data received from the process executing data interchanging unit and a process using the data transmitted from the plurality of process executing devices and generating process association information [BP definition (150) contains the entrance node and exit node, in addition to the processing node representing one process to be treated in the workflow subsystem (180) to which the BP definition managing server (110) pertains; col. 5, line 8 – 29 and col. 5, line 52 – col. 6, line 3]; and

- an interprocess association information distribution unit distributing the process association information generated by said interprocess association unit to the process executing device which is related to the interprocess association information [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to transmit the shipping document (160) to the remote server (110), by referring to the BP connection data (170); col. 4, line 56 - col. 5, line 7].

20. As to claim 16, Saito teaches a data interchange device for interchanging data concerning a process included in a series of process flows with an external device [shipping document (160) delivered from the CALL node to the process node in the remote BP definition (150), Fig. 9, col. 7, lines 15 – 30], comprising:



an executing data interchanging unit interchanging a process executing data with the external device [shipping document (160) delivered from the CALL node to the process node in the remote BP definition (150), Fig. 9, col. 7, lines 15 – 30]; and

an interprocess association information interchanging unit interchanging with the external device interprocess association information which associates a process executed by the process executing device with the process executed by the external device [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to transmit the shipping document (160) to the remote server (110), by referring to the BP connection data, Fig. 2; col. 4, line 56 – col. 5, line 7] based on a correspondence relation between the process executing data received from the executing data interchanging unit and the process executed by the external device [BP connection data management unit (230) and the BP definition management unit (240) manage the BP connection data (170) created by the user and the BP definition (150), respectively, and execute retrieval process at the retrieval request, notifying other processing units of the retrieved result; col. 4, line 56 – col. 5, line 7].

21. As to claim 17, Saito teaches a data interchange method [workflow system; col. 4, lines 23 – 32] for interchanging data concerning a process included in a series of process flows with an external device [col. 7, lines 15 – 30], comprising:

interchanging process executing data with the external device [shipping document (160) delivered from the CALL node to the process node in the remote BP definition (150), Fig. 9, col. 7, lines 15 – 30] via a first communication route [from CALL node to the process node in the remote BP definition; col. 7, lines 15 - 30]; and

interchanging with the external device, via a second communication route [from document management unit to remote server; col. 4, line 56 – col. 5, line 7], interprocess association information which associates the process executed by the process executing device with the process executed by the external device [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to

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transmit the shipping document (160) to the remote server (110), by referring to the BP connection data, Fig. 2; col. 4, line 56 – col. 5, line 7] based on a correspondence relation between the process executing data and the process executed by the external device [BP connection data management unit (230) and the BP definition management unit (240) manage the BP connection data (170) created by the user and the BP definition (150), respectively, and execute retrieval process at the retrieval request, notifying other processing units of the retrieved result; col. 4, line 56 – col. 5, line 7].

22. As to claim 19, this is a product claim that corresponds to method claim 17; note the rejection to claim 17 above, which also meets this product claim.

23. As to claim 21, this is similar in scope to claim 16; therefore claim 21 is rejected for the same reasons as claim 16 above.

24. As to claim 22, this is similar in scope to claim 17; therefore claim 22 is rejected for the same reasons as claim 17 above.

25. As to claim 23, Saito teaches a method for interchanging data between an external device [col. 7, lines 15 – 30] and a processor executing a process in a series of process flows [node 2 (310), node 3 (315) and node 4 (320) are processing nodes; col. 5, lines 8 – 28], comprising:

obtaining, via a first communication route [from document management unit to remote server; col. 4, line 56 – col. 5, line 7], interprocess association information associating first and second processes respectively executed by the processor and the external device [document management unit (220) manages the shipping document (160) and the next BP location described in the BP definition (150) by associating them, and executes preprocessing to transmit the shipping document (160) to the remote server (110), by referring to the BP connection data, Fig. 2; col. 4, line 56 – col. 5, line 7] based on a correspondence relation between the second process and process executing data of the first process BP connection data management unit (230) and the

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BP definition management unit (240) manage the BP connection data (170) created by the user and the BP definition (150), respectively, and execute retrieval process at the retrieval request, notifying other processing units of the retrieved result; col. 4, line 56 – col. 5, line 7]; and

interchanging, via a second communication route [from CALL node to the process node in the remote BP definition; col. 7, lines 15 - 30], the process executing data [shipping document (160) delivered from the CALL node to the process node in the remote BP definition (150), Fig. 9, col. 7, lines 15 – 30] and the interprocess association information between the processor and the external device [col. 4, line 56 – col. 5, line 7].

***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. **Claims 4 – 8, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito in view of U.S. Patent NO. 6,442,528 to Notani et al. [hereinafter referred to as Notani].**

28. As to claims 4, 18 and 20, Saito does not teaches the interprocess association information interchanging unit interchanges the interprocess association information with the other process executing device using a transfer method different from the method used by said process executing data interchanging unit

However, Notani teaches a multi-enterprise workflows with synchronous, asynchronous, sub-workflow, and-splits, or-splits, synchronization-joins, heterocast-splits, heterocast-joins [col. 6, lines 7 – 33] and interchanging interprocess association information with the other process executing device using a transfer method different

from the method used by the process executing data interchanging unit [col. 7, lines 1 – 11 and col. 8, lines 11 - 24].

29. It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teaching of interchanging interprocess association information with the other process executing device using a transfer method different from the method used by the process executing data interchanging unit as taught by Notani to the invention of Saito because this provides support for collaboration over existing web protocols, which can be important to rapid deployment since it does not require modification or reconfiguration of an existing web infrastructure and saves time from not having to modify carefully designed firewall and security infrastructures that may already be in place [col. 17, lines 55 - 65 of Notani].

30. As to claim 5, Saito as modified teaches the interprocess association information interchanging unit interchanges the interprocess association information at a timing that is not synchronized with the timing for interchanging the process executing data by said process executing data interchanging unit [col. 6, lines 7 – 33 of Notani]. As for the motivation to combine Saito with Notani, see the rejection to claim 4 above.

31. As to claim 6, Saito as modified teaches the interprocess association information interchanging unit periodically and collectively interchanges the interprocess association information [col. 4, lines 46 – 60 of Notani]. As for the motivation to combine Saito with Notani, see the rejection to claim 4 above.

32. As to claim 7, Saito as modified teaches wherein said interprocess association information interchanging unit transmits to the other process executing device inquiry information for inquiring about the process which is executed by the other process executing device and is related with the process executed by the process executing device in addition to the process association information [called-out retrieval function searches the entries of the BP connection table (500) where the BP definition name and the exit node name given as parameters have the same value as the previous BP exit

location (510) (710); col. 6, lines 35 – 57 of Saito], and wherein the other process executing device further comprises an inquiry response unit associating the processes executed by both process executing devices and responding to the inquiry information from the process executing device [the next BP entrance location (520) out of the entries of the BP connection table (500) obtained by retrieval is returned to the document management unit (220); col. 6, lines 35 – 60 of Saito].

33. As to claim 8, Saito as modified teaches a process association information request unit requesting said interprocess association information interchanging unit in the other process executing device to transmit the interprocess association information necessary for an inquiry about the process which is executed by the other process executing device and is which related to the process executed by the process executing device in addition to the process association information before the inquiry [col. 6, lines 35 – 57 of Saito]; and an inquiry unit for associating the processes executed by both process executing devices using the transmitted process association information and performing the inquiry based on the association result [col. 9, lines 25 – 45 of Saito].

### ***Conclusion***

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent NO. 5,870,545 to Davis et al. teaches performing flexible workflow process compensation in a distributed workflow management system.

### **CONTACT INFORMATION**

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen  
Examiner  
Art Unit 2194

lbz



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